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FROM MARGOLIUS & MALLIUS
OKGS
HITEN & CRYSTAL: 11/18/98

P.002/002

#9222
BRA:ABC
rec'd. 11/18/98 lb

Made this 17 day of November, 1998, by and between
Blackie's House of Beef, Inc., t/a Ha'Penny Lion (the Licensee), and
Martha Susan Rogers and Desmond P. Foyes (Protestants).

WITNESSES

WHEREAS, pending before the District of Columbia Alcoholic
Beverage Control Board ("the ABC Board") is Licensee's application
for renewal of its Class C/R license for premises 1101 - 18th
Street, N.W., Washington, D.C., Case No. 9322-990012; and

WHEREAS, Rogers and Foyes have filed letters in opposition to
the renewal of the license; and

WHEREAS, the parties desire to enter into an agreement
concerning certain understandings regarding applicant's
business;

NOW, THEREFORE, the parties agree as follows:

1. Licensee shall continue to operate a bona fide restaurant
on its premises.
2. Licensee agrees that it will not utilize any outdoor space
in connection with the operation of its restaurant business, and
will not place any speakers outside of the premises.
3. In consideration of, and in reliance upon the above,
Protestants hereby withdraw their protest to the Licensee's renewal
application.

IN WITNESS WHEREOF, the parties have affixed hereto their
hands and seals on the year and day first above written.

PROTESTANTS:

Martha Susan Rogers
Martha Susan Rogers
Desmond P. Foyes
Desmond P. Foyes

APPLICANT:

Blackie's House of Beef, Inc.
Blackie's House of Beef, Inc.
By Tom Lee
Tom Lee, Chief
Operating Officer

TOTAL P.01

TOTAL P.002

TOTAL P.02

**BEFORE
THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of :

Blackie's House of Beef, Inc.
t/a Ha' Penny Lion

Application for a Retailer's License
A - renewal
at premises
1101 17th Street, N.W.
Washington, D.C.

Case No. 9222-99001P

Desmond P. Foynes and Martha P. Rogers, Protestants

Dimitri P. Mallios, Esquire, on behalf of Applicant

BEFORE: Roderic L. Woodson, Esquire, Chair
Vera Abbott, Member
Allen Beach, Member
Ellen Oppen-Weiner, Esquire, Member
Max Salas, Member
Audrey E. Thompson, Member
Joseph Wright, Member

ORDER ON WITHDRAWN PROTEST

The application, having been protested, came before the Board for public hearing on October 14, 1998, in accordance with D.C. Code Section 25-115(c)(5)(1999 Supp.), providing for the protestants to be heard. Desmond P. Foynes and Martha P. Rogers filed timely protest letters dated September 28, 1998 and September 24, 1998, respectively.


The official records of the Board reflect that the parties have now reached an agreement that has been reduced to writing, and has been properly executed and filed with the Board. Pursuant to the agreement dated November 17, 1998, the protestants have agreed to withdraw the opposition, provided however, the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the Agreement.

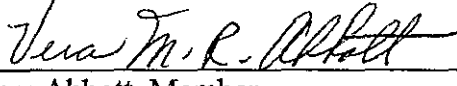
Blackie's House of Beef, Inc.
t/a Ha' Penny Lion
Page two

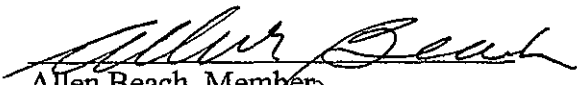
Accordingly, it is this 13th day of Oct. 1999, **ORDERED** that:

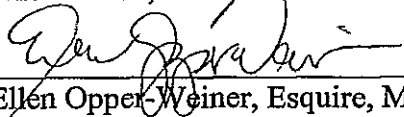
1. The protests of Desmond P. Foynes and Martha P. Rogers, be, and the same hereby, are **WITHDRAWN**;
2. The application of Blackie's House of Beef, Inc. t/a Ha' Penny Lion for a retailer's class CR license (renewal) located at 1101 - 17th Street, N.W., Washington, D.C., be, and the same hereby, is **GRANTED**;
3. The above-referenced agreement between the parties, be, and the same hereby, is **INCORPORATED** as part of this **ORDER**; and,
4. Copies of this Order shall be sent to the Protestants and the Applicant.

District of Columbia
Alcoholic Beverage Control Board

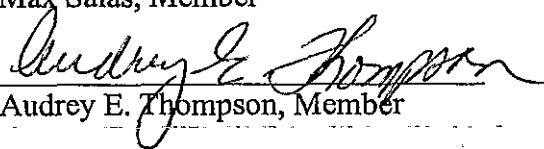

Roderie L. Woodson, Esquire, Chair


Vera Abbott, Member


Allen Beach, Member


Ellen Oppenheimer, Esquire, Member

Max Salas, Member


Audrey E. Thompson, Member

Joseph Wright, Member